



**REGULAR MEETING MINUTES**  
**for**  
**Wednesday, August 13, 2003**  
**Council Chamber Boardroom – 4:00 P.M.**  
**and**  
**Art Pick Council Chambers – 5:30 P.M.**  
**3900 Main Street, Riverside, CA**

Present: Commissioners Brewer, Davidson, Garcia, Gardner, Pearcy, O'Meara and Ward

Absent: Commissioners Howe and Huerta (excused)

**CASE REVIEW – 4:00 P.M.**

**Roll Call**

**Public Comment**

There were no public comments on Closed Session items.

**Closed Session – Case Reviews**

Pursuant to Government Code Section 54957, the Commission adjourned to Closed Session at 4:09 p.m. to discuss issues pertaining to PUBLIC EMPLOYEE PERSONNEL MATTERS.

<u>CPRC CASE NO.</u>	<u>IA CASE NO.</u>
03-018	PC-03-064-187
03-019	PC-03-077-224
03-028	PC-03-104-098
03-029	PC-03-105-116
03-037	PC-03-128-207
03-038	PC-03-125-091
03-040	PC-03-135-032
03-041	PC-03-135-035
03-048	PC-03-174-161

The Commission recessed at 5:30 p.m. to reconvene in the Council Chambers at 5:37 p.m.

## **OPEN SESSION – 5:30 P.M.**

**The following proceedings have been digitally recorded. For copies please call the CPRC office at (909) 826-5509.**

Chairman Gardner led in the Pledge of Allegiance. Chairman Gardner asked Ms. Sherron to confirm commissioner attendance.

### **Executive Director's Report & Comments**

Mr. Williams had nothing to report.

### **Commissioner's Comments**

Commissioners Brewer said that PORAC had an article about the CPRC in its newsletter. Chair asked the Executive Director to get a copy of the article.

Commissioner Garcia said that Park & Rec was having its Volunteer Recognition Awards in White Park on August 21, 2003. There would be a concert featuring a Latin group called Chico after the awards ceremony.

### **Public Comments**

#### **Mr. Ralph Avila**

Mr. Avila said he wanted to recognize the "diligence in which this board has taken on a challenge it's obviously not capable of handling in the way in which it was meant to be handled." He said a person who is a U.S. presidential candidate was going to be asked to "return to Riverside and to adjudicate us on our accusation toward this council."

He said that with the help of God, "we will someday be able to live in this city without being subjected to a type of religion or some kind of cult that is very devious." He said he identified that with a biblical prosecution of its citizens by the district attorney.

He said, "We know that we have to go elsewhere to get our case heard. If we have to outside of the United States and ask the world community to be invited to come and properly look at this escapade in which you are putting us through" then they would do that. He said "they" would have to go outside the United States to get "any kind of justice."

#### **Mr. Art Garcia**

Mr. Garcia complimented the Commission on its work. He said he came to the meeting to attest to Commissioner Percy's "dedication and loyal service to the City of Riverside and to its residents as a former member of the Parking, Traffic & Streets Commission." He said he currently serves on that commission and highly praised Commissioner Percy.

Mr. Garcia also said that the CPRC is doing "a lot of good things contrary to what some people might say." He said everyone has their own opinions and that some people might have "harsh criticisms," but it was his opinion that the commissioners were all doing a fine job. He said that are some things in the city that need to be addressed, but felt that "we're on our way to addressing them in terms of what's perceived as inequities towards minorities and towards people being different in general."

He said he appreciates the Commission's open-mindedness and closed by saying, "I'm still watching you guys."

### **Approval of Minutes**

Chairman Gardner noted that he had inadvertently skipped over approval of the minutes and that it would be done now. Commissioner Brewer moved to approve the minutes for the July regular meeting. Commissioner Percy seconded the motion. The motion passed with 6 ayes and 1 abstention.

### **Establish Workshop Committee**

Chairman Gardner asked Commissioner Ward to chair the Workshop Committee. Commissioner Ward said the Commission should first decide whether they want to have a workshop. Chairman Gardner said intent would be for the committee to review the workshop idea, determine whether or not they would be useful and the nature of the workshops. The committee would bring their recommendation to the Commission and the Commission would review and act on those recommendations.

Chairman Gardner asked if there were other commissioners interested in participating in this committee. Commissioner Garcia said he would participate. Chairman Gardner said he thought Commissioner Huerta had previously expressed interest in serving on the committee, but as she was absent, the selection of a third committee member would be held until the next regular Commission meeting.

### **2003 National Association for Civilian Oversight of Law Enforcement (NACOLE) Conference**

Chairman Gardner advised the Commission that the NACOLE Conference was coming up in Los Angeles in September. He said there had been some previous discussion regarding conference attendance and noted that all but two commissioners were interested in attending. He advised the Commission that the cost would not exceed the amount budgeted.

Chairman Gardner said that he felt that since the conference was so close, he didn't think those planning to attend should stay in the hotel. He said that Commissioner Howe (absent) gave a statement to staff saying that the commissioners put in a lot of time and effort serving and this is a small payoff. Chairman Gardner reiterated that his personal opinion was that the commissioners commute to and from L.A. He said if everyone who said they wanted to stay in L.A. did so, the cost would be around \$4,600.00. CPRC has about \$12,500 budgeted for Travel & Meeting.

Commissioner Brewer agreed with Commissioner Howe. He said this is a rare opportunity for all commissioners to attend this conference. He said the commissioners put in a lot of time and effort serving and this is a chance to broaden their views and feels they should be allowed to do so. He made a motion that any commissioners wishing to attend the conference be allowed stay over in the hotel and their expenses be covered.

Mr. Art Garcia asked the Chair if there was going to be public comment on this item. Chair said yes.

Mr. Garcia apologized for interrupting. As a citizen, he spoke in favor of the commissioners lodging at the host hotel. He said he said traveling to and from L.A. in "that traffic" after spending all day at a conference "will wear you down." He also said he felt the commissioners should be paid mileage and expenses, per diem. He said it is a customary practice to compensate representatives of any organization for lodging and mileage, per diem.

Chairman Gardner said that CPRC By-Laws and the City Charter say members of City boards and commissions will serve without compensation and that any expenses incurred while conducting Commission business will be reimbursed as approved by the City Council. He said there is not a "per diem" mechanism in place.

Commissioner Brewer said, "That's exactly what we got in Boston – that's exactly what we got in Denver," and noted that the per diem covered meals and such. He said there is no pay involved.

Chairman Gardner said he felt that the Commission would like lodging and reasonable travel and meal costs by paid by the City.

Commission Garcia seconded Commissioner Brewer's motion.

Chairman Gardner said he didn't think it required a motion, as it was clear that the general consensus was for the commissioners to be able to stay in L.A., if they so chose. He said he was willing to go along with the consensus without a motion, but would go with a motion if someone felt strongly that it needed to be done with a motion, he would do it that way.

Commissioner Garcia said it helps to be able to stay in the area for networking purposes.

Commissioner Brewer also clarified that parking would be included in any reimbursable expenses.

**2005 National Association for Civilian Oversight of Law Enforcement (NACOLE) Conference**

Chairman Gardner asked Mr. Williams to report on what he learned from other City departments regarding conferences and monetary support by the City.

Mr. Williams said the City would provide no monetary support for the conference but that there was not a problem with having the conference here.

Chairman Gardner said he had thought there were going to be meetings with the Convention Bureau, hotels, etc. regarding the conference. Mr. Williams said he has proposals and that he and Commissioner Percy had a meeting set for August 14 with Mr. Megna at the Convention Center and that whatever savings we can add up would be part of the package presented to NACOLE.

Chairman Gardner said he thought the Outreach Committee was handling the 2005 NACOLE conference. Commissioner Percy, Outreach Committee chair, said he will go to chamber to see about "in kind" discounts and other opportunities regarding the 2005 NACOLE conference. He said that once he had a better sense of the conference issues he'd start working on outreach, but that he really didn't want to start on outreach until then.

Commissioner Brewer made a motion to carry the remaining cases over to the September 10 case review meeting since there were only two cases for that meeting. Chairman Gardner asked Mr. Williams if he knew whether there would be any additional cases for the September case review. Mr. Williams said he didn't know, but that he had a case that he hadn't finished. He said he'd handle any cases that came in while he was on vacation on the Monday and Tuesday after he returns.

Mr. Williams said his only concern is that he doesn't want to hold the cases too long. If the remaining cases were held until September 10, we would have had some of them almost 45 days and that's his concern.

Commissioner Percy noted that the Commission was in the middle of a case when they broke for open session. He said it made sense to at least finish that case. He said he'd like to see how many of the remaining cases could be reviewed also.

Chairman Gardner asked for a show of hands to determine how many commissioners could or would be willing to go back into closed session to try and finish the remaining cases. The decision was unanimous to return to closed session.

The Commission adjourned Open Session at 6:07 p.m. and immediately reconvened in Closed Session to review balance of cases. The Commission adjourned the reconvened Closed Session at 6:53 p.m.

Respectfully submitted,

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PHOEBE SHERRON  
Sr. Office Specialist